

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

GREGORY ALEXANDER,

Petitioner,

No. 02-CV-74852-DT

vs.

Hon. Gerald E. Rosen

DAVID SMITH,

Respondent.

ORDER ADOPTING MAGISTRATE JUDGE'S  
REPORT AND RECOMMENDATION AND DISMISSING  
PLAINTIFF'S HABEAS CORPUS ACTION, IN ITS ENTIRETY

At a session of said Court, held in  
the U.S. Courthouse, Detroit, Michigan  
on March 14, 2006

PRESENT: Honorable Gerald E. Rosen  
United States District Judge

This matter having come before the Court on the Report and Recommendation of United States Magistrate Judge Donald A. Scheer, recommending that the claims numbered IV, IX, and XIII in Petitioner Gregory Alexander's petition for a writ of habeas corpus be denied in their entirety;<sup>1</sup> and Petitioner and Respondent having timely filed Objections to the Report and Recommendation; and the Court having reviewed the Magistrate Judge's Report and Recommendation, the Objections thereto, and the Court's file of this action and having

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<sup>1</sup> On October 29, 2004, the Court dismissed 10 of Petitioner's original 13 claims in their entirety, and two additional claims, in part. The Court then referred claim IV and those portions of claims IX and XIII not dismissed in their entirety to the Magistrate Judge for an Evidentiary Hearing and Report and Recommendation.

concluded that, for the reasons stated in the Report and Recommendation, claims IV, IX, and XIII of Petitioner's application for a writ of habeas corpus should be denied in their entirety and this action for habeas corpus relief should be dismissed; and the Court being otherwise fully advised in the premises,

IT IS HEREBY ORDERED that the Magistrate Judge's Report and Recommendation of February 28, 2006 be, and hereby is, adopted by this Court.<sup>2</sup>

IT IS FURTHER ORDERED that, for the reasons set forth in the Magistrate Judge's Report and Recommendation, Dominic Campbell's petition for habeas corpus relief be, and hereby is DENIED and the above-captioned case, therefore, is DISMISSED, in its entirety.

s/Gerald E. Rosen  
Gerald E. Rosen  
United States District Judge

Dated: March 14, 2006

I hereby certify that a copy of the foregoing document was served upon counsel of record on March 14, 2006, by electronic and/or ordinary mail.

s/LaShawn R. Saulsberry  
Case Manager

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<sup>2</sup> In adopting the R&R, the Court also makes the following corrections to a few typographical errors contained therein. Specifically, the Court corrects the spelling of Massiah on pages 8 and 10 (incorrectly spelled as "Messiah"); changes the "?" at the end of the first full paragraph on page 29 to "." and encloses within parentheses the circuit court and date of the Randolph opinion (9th Cir. 2004) on page 50.